

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Court Room
7500 Odawa Circle Harbor Springs, MI 49740
January 25, 2009

Closed Session: yes

Call to Order: Meeting was called to order at: 9:39 a.m.

Opening Ceremony: Beatrice A. Law

Council Present: Legislative Leader Beatrice A. Law, Secretary Regina Gasco Bentley, Treasurer Gerald Chingwa, Councilor Dexter McNamara, Councilor Alice Yellowbank, Councilor Melvin L. Kiogima, Councilor Marvin Mulholland

Absent: Councilor Shirley Oldman, Councilor Fred Harrington, Jr.

Legislative Office Staff Present: Legislative Services Attorney Donna Budnick, Office Manager Michele LaCount

Executive Officials and Staff Present: Tribal Chairman Frank Ettawageshik, Executive Assistant Rebecca Atkinson, Joe Lucier-Tribal Youth Director

Guests: Mike Bodjiak-Director of Hospitality, Barry Laughlin-Director of Property Operations, Cathy Portman-Gaming Board of Directors Executive Office Manager, Carol McFall-Gaming Board of Directors Chairperson, Fred Kiogima-Gaming Board of Directors, Sheran Patton-Gaming Board of Directors, Denise White-Casino Human Resource Director, Sean Barnard-Casino General Manager, Frank Kersh-Director of Slots, Susan Foster-Casino Table Games Director, Philip Gonzales- Director of Marketing, Dollie Keway-Gaming Board of Directors, Judy Pierzynowski-Gaming Board of Directors, Ken Harrington, Marty VandeCar, Audrey Atkinson, Rita Shananaquet, Roger Emery, Vicki Lynn, Becca Lynn, Sarah Schilling, Chris Lynn, George Anziano

Motion made by Councilor McNamara and supported by Treasurer Chingwa to adopt the agenda with amendments for January 25, 2009.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Harrington, Jr., Councilor Oldman)

Motion carried.

Motion made by Councilor Yellowbank and supported by Councilor Mulholland to approve the minutes of January 11, 2009 with corrections.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Harrington, Jr., Councilor Oldman)

Motion carried.

Elders Comments: No comments at this time.

Casino General Manager report.

10:05 a.m. Motion made by Councilor McNamara and supported by Secretary Gasco Bentley to go into closed session for proprietary purpose.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Harrington, Jr., Councilor Oldman)

Motion carried.

11:08 a.m. Motion made by Treasurer Chingwa and supported by Secretary Gasco Bentley to go out of closed session.

Vote: 7 - Yes, 0 - No, 0 - Abstained, 2 - Absent (Councilor Harrington, Jr., Councilor Oldman)

Motion carried.

11:09 a.m. Recess called.

11:21 a.m. Meeting reconvened.

Casino General Manager Report continues.

11:45 a.m. Public Comment opened: Dollie Keway spoke regarding the Casino management team. Cathy Portman spoke regarding the Ovation Hall use for the Annual Community meeting. Bea Law spoke regarding employee gaming ability. Gerald Chingwa spoke about the Constitution with regard to what adult legal age is.

11:50 a.m. Public Comment closed.

Casino General Manager Report continues.

12:00 p.m. Lunch recess called.

1:34 p.m. Meeting reconvened. Councilor Oldman arrived.

Joe Lucier-Youth Coordinator and the Tribal Youth, Becca Lynn and Sarah Schilling who attended National Congress of American Indians in October 2008 gave a report on their attendance.

Motion made by Treasurer Chingwa and supported by Councilor McNamara to accept the Legislative Leader Law's verbal report for January 25, 2009.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Councilor Oldman and supported by Councilor McNamara to accept the Treasurer/Appropriations and Finance Committee Chairman Chingwa's verbal report for January 25, 2009.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa to accept the Land and Reservation Committee Chairperson Kiogima's verbal report for January 25, 2009.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Councilor Yellowbank and supported by Treasurer Chingwa to accept Councilor Mulholland's verbal report regarding National City investment funds.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Councilor McNamara and supported by Councilor Oldman to accept the Legislative Services Attorney Budnick's verbal and written report for January 25, 2009.
Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor Harrington, Jr.)
Motion carried.

2:40 p.m. Recess called.
2:49 p.m. Meeting reconvened.

Motion made by Councilor Kiogima and supported by Treasurer Chingwa to adopt Tribal Resolution Request for Funding from the Institute of Museum and Library Services, Little Traverse Bay Bands of Odawa Indians 2009 Basic Library Services Grant.
Roll Call Vote: Councilor Harrington, Jr.-absent, Councilor Kiogima-yes, Councilor McNamara-absent, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes
Motion carried.

Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa to adopt Tribal Resolution Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, Little Traverse Bay Bands of Odawa Indians, Fiscal Year 2009 Circle of Flight Project.
Roll Call Vote: Councilor Harrington, Jr.-absent, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes, Legislative Leader Law-yes,
Motion carried.

Motion made by Councilor Mulholland and supported by Councilor Kiogima to adopt Tribal Resolution Request for Funding from the Office of Justice Programs, United States Department of Justice, Bureau of Justice Assistance, Little Traverse Bay Bands of Odawa Indians Fiscal Year 2009 Adult Drug Court Implementation Grant.
Roll Call Vote: Councilor Harrington, Jr.-absent, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes Legislative Leader Law-yes,
Motion carried.

Motion made by Councilor Kiogima and supported by Secretary Gasco Bentley to adopt Tribal Resolution Request for Funding from the U.S. Department of Health and Human Services Indian Health Service Tribal Management Grant Program Little Traverse Bay Bands of Odawa Indians Tribal Health Management Project.

The motion above is on hold in consideration of Public Comment.

3:01 p.m. Public opened. No comments.
3:01 p.m. Public Comment closed.

Motion above resumes.

Roll Call Vote: Councilor Harrington, Jr.-absent, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor

Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes Legislative Leader Law-yes,
Motion carried.

Motion made by Councilor Yellowbank and supported by Councilor Mulholland to adopt Tribal Resolution Request for Funding from the United States Department of the Interior, Bureau of Indian Affairs, Little Traverse Bay Bands of Odawa Indians, Fiscal Year 2009 Invasive Species Project.

Roll Call Vote: Councilor Harrington, Jr.-absent, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes Legislative Leader Law-yes,
Motion carried.

Motion made by Councilor Yellowbank and supported by Councilor Kiogima to adopt Tribal Resolution Request for continuation funding from: U.S. Department of Health and Human Services Indian Health Service Little Traverse Bay Bands of Odawa Indians Fiscal Year 2009 Special Diabetes Program for Indians.

Roll Call Vote: Councilor Harrington, Jr.-absent, Councilor Kiogima-yes, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes Legislative Leader Law-yes,
Motion carried.

3:42 p.m. Recess called.

3:52 p.m. Meeting reconvened.

Motion made by Secretary Gasco Bentley and supported by Treasurer Chingwa to adopt Tribal Resolution Tribal Government Budget Revision Fiscal Year 2009.

Roll Call Vote: Councilor Harrington, Jr.-absent, Councilor Kiogima-no, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes Legislative Leader Law-yes,
Motion carried.

The following was tabled to next Tribal Council agenda: The Odawa Gaming Enterprise Management draft Statute, Odawa Economic Development Management draft Statute, and the Sex Offender Notification and Registration draft Statute.

Motion made by Treasurer Chingwa and supported by Councilor McNamara to update the Legislative Calendar posting with revisions to the Sex Offense Statute.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Councilor Mulholland and supported by Secretary Gasco Bentley to pass the Amendment to Waganakising Odawak Statute 1997-004 Health Commission Statute.

Roll Call Vote: Councilor Harrington, Jr.-absent, Councilor Kiogima-no, Councilor McNamara-yes, Councilor Mulholland-yes, Councilor Oldman-yes, Councilor Yellowbank-yes, Treasurer Chingwa-yes, Secretary Gasco Bentley-yes Legislative Leader Law-yes,

Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Mulholland to approve Addendum to Contract for Employment for the Legislative Services Attorney, Donna L. Budnick shall forego receiving the Cost of Living Allowance increase of at least 4% for Fiscal Year 2009.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Councilor Oldman and supported by Councilor Yellowbank to approve suspension of the Cost of Living Allowance increase to the Legislative Branch employees for Fiscal Year 2009.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Councilor Oldman and supported by Treasurer Chingwa to post the Economic Development Commission draft Statute to the Legislative Calendar.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Councilor Yellowbank and supported by Councilor Oldman to post amendment to Waganakising Odawak Statute 2007-012 Education Commission to the Legislative Calendar.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Councilor Oldman and supported by Treasurer Chingwa to post the Education Appeals Board draft Statute to the Legislative Calendar.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Treasurer Chingwa and supported by Councilor Yellowbank to post the Amendment to the Housing Commission draft Statute to the Legislative Calendar.

Vote: 7 - Yes, 1 - No (Councilor Kiogima), 0 - Abstained, 1 - Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Councilor Yellowbank and supported by Secretary Gasco Bentley to place the Tribal Burial Grounds draft Statute to a Tribal Council work session.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor Harrington, Jr.)

Motion carried.

Motion made by Councilor Mulholland and supported by Secretary Gasco Bentley to post Amendment to Waganakising Odawak Statute 2004-008 Gaming Board of Directors, to the Legislative Calendar.

Vote: 7 - Yes, 0 - No, 1 - Abstained (Councilor Oldman), 1 - Absent (Councilor Harrington, Jr.)

Motion carried.

The following was tabled to the next Tribal Council agenda: Odawa Gaming Enterprise Management, Inc Corporate Charter, Odawa Economic Development Management, Inc Corporate Charter, Land Use, Building Regulation, and Zoning draft Statute, the Child

Protection draft Statute, Child Welfare Commission draft Statute, and the Gijigowi Anishinaabemowin draft Statute.

5:00 p.m. Motion made by Treasurer Chingwa and supported by Councilor McNamara to adjourn.

Vote: 8 - Yes, 0 - No, 0 - Abstained, 1 - Absent (Councilor Harrington, Jr.)

Motion carried.

These Minutes have been read and approved as corrected:

Regina Gasco Bentley, Tribal Council Secretary

Date